

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Revenue Department-Allegation of corruption-Demand and acceptance of bribe against Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari District - Trapped on 04.02.2008 - Sanction for Prosecution-Accorded-Orders-Issued.

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REVENUE (VIG.II) DEPARTMENT

G.O.Ms.No: 595

Dated:12 .06.2009

ORDER:

WHEREAS, Sri Devarakonda Koteswara Rao, worked as Tahsildar, Chagallu Mandal, West Godavari District from 14.09.2007 to 2.02.2008 and as such he falls within the meaning of a Public Servant under Section 2 (c) of Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. AND WHEREAS, Smt Motha Lalitha Kumari W/o Venugopalam is a resident of Danavaipet, Rajahmundry, East Godavari District and eking out her livelihood by doing cultivation of her land.

3. AND WHEREAS, it is alleged that Smt Motha Lalitha Kumari has land and as there are no sufficient water resources to irrigate the said land she intended to dig a bore well with the financial assistance, which would be provided by the Executive Director, S.C. Corporation. For that purpose Smt Lalitha Kumari met Sri Gutta Durga Nagendra, Revenue Inspector,O/o Tahsildar, Chagallu Mandal, West Godavari District and enquired. Sri Durga Nagendra informed that for sanction of bore well under SC quota from SC Corporation, she should submit pass books of the said land in her possession and also to obtain Bore Confirmation Certificate from concerned Tahsildar. Smt. Motha Lalitha Kumari informed Sri Gutta Durga Nagendra that she lost her pass books for the land of Ac.1.50 cets given by her father and she is not having pass book for Ac.2.45 ½ cts of land gifted by her mother. Then Sri Gutta Durga Nagendra suggested Smt. Motha Lalitha Kumari to get a certificate from the Police station and pay a challan for Rs.1,000/-. He also informed her to submit an application along with land revenue receipt to Sri Devarakonda Koteswara Rao, Tahsildar for issue of duplicate pass book for Ac.1.50 cts of land. He also suggested Smt Motha Lalitha Kumari to submit another application to Sri D. Koteswara Rao along

with the copies of documents for the remaining 2.45 ½ acres of land with a request to enter the land in the pass books and to issue the same. Accordingly Smt M. Lalitha Kumari obtained a certificate from III town Police Station, Rajahmundry, paid challan of Rs.1,000/- in S.B.I, Nidadavole through treasury and submitted two applications along with relevant documents to the office of Sri D. Koteswara Rao, Tahsildar. As Sri Devarakonda Koteswara Rao, Tahsildar was not available in the office on that day, Sri Gutta Durga Nagendra, Revenue Inspector went through the documents and representations submitted by Smt M. Lalitha Kumari and informed that she submitted all the required documents and as Sri Devarakonda Koteswara Rao was on leave, Sri Gutta Durga Nagendra informed Smt M. Lalitha Kumari to come to the office after 15 to 20 days and meet Sri Devarakonda Koteswara Rao. Having come to know that Sri Devarakonda Koteswara Rao returned from leave, Smt M. Lalitha Kumari and her son-in-law Sri Giridhar went to the office of Tahsildar, Chagallu Mandal and met him. They informed that they submitted representation for issue of Pattadar Pass Books. Then Sri Devarakonda Koteswara Rao informed Smt M. Lalitha Kumari that he would issue on PPB for both the lands covered under two documents and for doing the said official favour he demanded Smt M. Lalitha Kumari to pay a bribe of Rs. 10,000/-. Smt Motha Lalitha Kumari expressed her inability to pay the bribe Amount to Sri Devarakonda Koteswara Rao, but Sri Koteswara Rao informed her that if the bribe amount is not paid, he would not issue Pattadar pass books and also asked her to contact on his Cell Phone No.963182316. Later Smt Lalitha Kumari and her son-in-law met Sri Gutta Durga Nagendra and informed him that they met Sri D. Koteswara Rao and he asked her to pay bribe of Rs.10,000/- to issue Pattadar Pass Books. The Sri Gutta Durga Nagendra also told that they should pay the bribe amount to Sri Devarakonda Koteswara Rao and further they have to pay bribe of Rs.2,000/- for him to enquire the matter and to submit report to Sri D. Koteswara Rao for issuance of Pattadar Pass Books. Then Smt Lalitha Kumari expressed her inability to pay the bribe amount Sri Gutta Durga Nagendra paid a deaf ear and sent them away. Later Smt M. Lalitha Kumari contacted Sri Devarakonda Koteswara Rao and Sri Gutta Durga Nagendra over phone and personally, but they reiterated their earlier demand. In December, 2007 Sri Devarakonda Koteswara Rao contacted the son-in-law of Smt Lalitha Kumari on his cell phone No.9441609889 and informed him that they were going to conduct enquiry at Kalavalapalli and asked him to come to the village along with demanded bribe amount. Smt M. Lalitha Kumari along with her son-in-law went to Kalavalapalli

and came to know that Sri Devarakonda Koteswara Rao, Tahsildar, Sri Gutta Durga Nagendra, Revenue Inspector and Smt Ch.Sita Sundari, Village Revenue Officer conducted enquiry about her land only. Then Sri D. Koteswara Rao and Sri Gutta Durga Nagendra asked Smt Lalitha Kumari whether she brought the demanded bribe amount or not. Smt Lalitha Kumari again expressed her inability to pay the demanded bribe amount to Sri D. Koteswara Rao and Sri Gutta Durga Nagendra. Then Sri D.Koteswara Rao and Sri Gutta Durga Nagendra threatened Smt Lalitha Kumari, if the bribe amounts are not paid, they would not do the said official favour. Later so many times Sri Devarakonda Koteswara Rao contacted Smt Laliltha Kumari over the phone of her son-in-law and demanded her to bring the said bribe and she replied finally that she could not pay bribe to Sri Devarakonda Koteswara Rao and disconnected it.Finally in the month of January,2008 i.e.10 days prior to lodging complaint Smt Lalitha Kumari and her son-in-law met Sri Devarakonda Koteswara Rao in his office and requested to do the official favour. Then Sri Devarakonda Koteswara Rao told that their representation was not available in the office and asked them to submit another representation for sanction of bore well and he would forward the same to the E.D, SC Corporation. Then Sri D. Koteswara Rao again reiterated his earlier demand of bribe. Again Smt M. Lalitha Kumari expressed her inability. Sri D. Koteswara Rao asked them to get away if they could not pay the bribe amount. On 31.01.2008 Sri Devarakonda Koteswara Rao contacted Smt M. Lalitha Kumari on the cell phone of her son-in-law and asked about the demanded bribe amount. Then again Smt Mota Lalitha Kumari expressed her inability to pay the huge amount as bribe, Sri Devarakonda Koteswara Rao reduced his demand of bribe to Rs.5,000/- and informed Smt M. Lalitha Kumari to pay Rs.2,000/- to Sri Gutta Durga Nagendra, Revenue Inspector and further instructed her to pay the bribe amounts on 4.2.2008, so that they would prepare pass books. Smt M. Lalitha Kumari having no other alternative reluctantly agreed to pay the demanded bribe amounts of Rs.5000/- and Rs.2,000/- to Sri D. Koteswara Rao and Sri Gutta Durga Nagendra. As Smt M. Lalitha Kumari was not willing to pay the demanded bribe amount to Sri D. Koteswara Rao and Sri Gutta Durga Nagendra, Revenue Inspector, she approached the O/o Dy. S.P, ACB, Eluru and lodged a written report to the DSP, ACB, Eluru Range, Eluru on 31.01.2008 at 5.00 PM against Sri D. Koteswara Rao and Sri Gutta Durga Nagendra, Revenue Inspector for taking necessary action against them. After receiving the report of Smt M. Lalitha Kumari the DSP instructed the

District Inspector to conduct enquiry and as per the instructions of the DSP, ACB the District Inspector, ACB, Elulru conducted discreet enquiries and verified about the antecedents of Smt M. Lalitha Kumari, Sri D. Koteswara Rao and Sri Gutta Durga Nagendra same. As per the instructions of the Higher Officials, the DSP, ACB registered a case in Cr.No.03/RCT-EWG/ 2008 on 04.02.2008 at 10.30 hrs under section 7 & 13 (2) readwith section 13 (1) (d) of the Prevention of Corruption Act, 1988 and made arrangements for laying trap.

4. AND WHEREAS, on 04.02.2008 at about 5.35 PM smt M. Lalitha Kumari and Sri Jalla Bala Giridhar the accompanying witness proceeded to the office of Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari District and found some person in the room of Sri D. Koteswara Rao, Tahsildar and after all of them are left, they went into his room On seeing them Sri D. Koteswara Rao asked her whether she brought the demanded amount of Rs.5,000/-. When she gave the same Sri D. Koteswara Rao received the amount of Rs.5,000/- with his left hand and kept the amount in his left side pant pocket and then assured to do help to her. Then they met G. Durga Nagendra, Revenue Inspector at his office room and paid him the tainted amount of Rs.2,000/- as per his earlier demand. At bout 7.10 PM the accompany witness came out of the office and gave the pre-arranged signal. The Sodium Carbonate Solution tests conducted on both hand fingers of Sri Devarakonda Koteswara Rao and the left hand fingers proved positive. The tainted amount of Rs.5,000/- was recovered from the left side pant pocket of Sri D. Koteswara Rao. The Sodium Carbonate solution test conducted on the inner lining of the left pant pocket of Sri Devarakonda Koteswara Rao proved positive. The D.S.P, ACB seized the tainted amount of Rs.5,000/- and the pant of Sri Devarakonda Koteswara Rao. Sri G. Durga Nagendra, Revenue Inspector gave Rs.500/- out of the tainted amount of Rs.2,000/- to Smt Ch.Sita Sundari,VRO, Unagatla and the remaining amount of Rs.1,500/- to Sri Shaik Madeen, Village Servant, Chagallu. The said amount of Rs.2,000/-was also seized by the DSP, ACB. The DSP, ACB also seized the connected documents left over sodium carbonate powder and other connected material etc., and investigated into the case.

5. AND WHEREAS, the above said acts of Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari district

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constitute offences punishable under section 7 & 13 (2) readwith section 13 (1) (d) of Prevention of Corruption Act, 1988.

6. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari district from Government service after fully and carefully examining the material placed before them in respect of the said allegations and having regard to the facts and circumstances of the case consider that Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari district should be prosecuted in a Court of Law.

7. NOW THEREFORE, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for Prosecution of Sri Devarakonda Koteswara Rao, Tahsildar, Chagallu Mandal, West Godavari district for the above said offences punishable under section 7 & 13 (2) readwith section 13 (1) (d) of Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in-respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

( G. SUDHIR )  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General,  
Anti-Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER